

192400US55X



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

David SUDA, et al. : EXAMINER: RHEE, J.

SERIAL NO: 09/675,180 :

FILED: September 29, 2000 : GROUP ART UNIT: 1772

FOR: BACKING SHEET, AND
SYSTEM AND METHOD OF
FABRICATION THEREOF

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TC 1700

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Restriction/Election Requirement dated December 18, 2001, the Applicants elect with traverse the invention of Group II including Claims 11-14, and 19-20, and elect with traverse Species b. (backing sheet with a hole) and identifies Claims 19 and 20 as readable on the elected species.

The Applicants respectfully traverse the election requirement based upon MPEP § 803, which states:

... If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area.

Accordingly, the Applicants respectfully traverse the outstanding Restriction/Election Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Therefore, it is respectfully requested that the requirement to elect a single invention and species be withdrawn, and that a full examination on the merits of Claims 1-31 be conducted.

Respectfully submitted,

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